IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

THURSDAY, THE 4TH OCTOBER 2007 / 12TH ASWINA 1929

Con.Case(C).No. 1409 of 2007(S)

ORDER IN RP.78/2006 IN WPC.1035/05 Dated 30/01/2006

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PETITIONER:

E.JACOB VARGHEESE,
S/O.CHACKO KOCHU CHACKO, AGED 55 YEARS,
ELENJIKAL KARUKAYIL HOUSE, KIZHAKKUMBHAGOM PO,
NIRANAM, THIRUVALLA, PATHANAMTHITTA DIST. NOW
RESIDING AT ELANJIKAL HOUSE, NEAR THOMSON
INDUSTRIES, PAKKIL PO,NATTAKOM, KOTTAYAM DISTRICT.

BY ADV. SRI.T.S.RAJASENAN

RESPONDENTS:

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1. SHRI.THOMAS VARGHEESE, AGED 52 YEARS,
FATHER'S NAME NOT KNOWN TO THE PETITIONER,
SUPERINTENDENT, RESURVEY SUPERINTENDENT,
OFFICE NO.2, NEAR CIVIL STATION,
PATHANAMTHITTA.

2. SHRI.ASOK KUMAR SINGH IAS,
AGED 40 YEARS, FATHER'S NAME NOT KNOWN TO THE
PETITIONER, DISTRICT COLLECTOR,
DISTRICT COLLECTORATE,
CIVIL STATION, PATHANAMTHITTA.

BY GOVT.PLEADER SRI.SHYSON P.MANGUZHA.

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING COME UP FOR ADMISSION ON 04/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

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CONT. CASE (C)No.1409 OF 2007

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DATED THIS THE 4TH OCTOBER, 2007

J U D G M E N T

As rightly pointed out by the Registry, the 1st respondent-Resurvey Superintendent was not a party to R.P.No.78 of 2006 in W.P.(C)No.1035 of 2005. As a matter of fact, no specific direction has been issued under Annexure-I or Annexure-II to anybody. But Annexure-II order contains an observation that the dismissal of the Writ Petition and the Review Petition will not stand in the way of the competent authority taking appropriate decision on Ext.P3. Counsel for the petitioner submits that the competent authority is the 1st respondent. The Contempt of Court Case will stand dismissed, giving liberty to the petitioner to file a fresh Writ Petition seeking reliefs against the 1st respondent for early disposal of the representation submitted before the 1st respondent.

(PIUS C.KURIAKOSE, JUDGE)

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